

## Departmental Privacy Policy Framework

1. Privacy Act of 1974
2. E-Government Act of 2002 (Sec. 208) (OMB Memorandum, M-03-22)
3. Homeland Security Presidential Directive – 12 (FIPS 201, OMB Memorandum, M-05-24)
4. Computer Matching and Privacy Protection Act of 1988
5. OMB Circular A-130, Appendix 1
6. Departmental Privacy Act regulations
7. Departmental Cyber Security Manual (Sections DM 3515-000 – DM 3515-002)
8. The Freedom of Information Act (see exemptions 6 and 7(c))
9. OMB and USDA-OCIO memoranda and bulletins

### References

#### Departmental Privacy Contacts, Notices and Policy References:

[www.ocio.net.usda.gov/ocio/security/privacy/html](http://www.ocio.net.usda.gov/ocio/security/privacy/html)

#### Federal Privacy Policy References:

- Office of Management and Budget (OMB) Privacy Guidelines and References:  
[www.whitehouse.gov/omb/privacy](http://www.whitehouse.gov/omb/privacy)
- OMB Memoranda:  
[www.whitehouse.gov/omb/memoranda](http://www.whitehouse.gov/omb/memoranda)
- Government Privacy Act Notices:  
[www.gpo.gov](http://www.gpo.gov)  
(See the compilation of Government Privacy Act Notices.)

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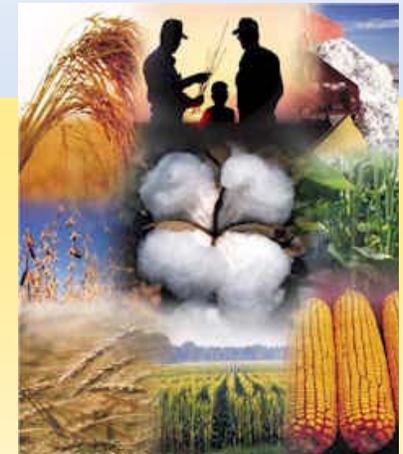
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- P**rivacy protection is everyone's responsibility.
- R**espect the personal information of others.
- I**nsist that the information collected on individuals is relevant and necessary.
- V**erify that required safeguards are in place.
- A**void Departmental, criminal, and civil penalties for violations.
- C**omplete Privacy Impact Assessments.
- Y**ou must have a Privacy Act notice published before operation of a Privacy Act System of Records.
- L**ocate information systems with information on individuals in your organization.
- E**nsure contracts include FAR and AGAR privacy clauses.
- A**cquire customer confidence with Departmental e-Gov initiatives.
- D**etermine disclosure and use restrictions.
- E**nsure web privacy policies are in place.
- R**eport to OMB in compliance with government privacy requirements.
- S**ee that employees, contractors, and others are familiar with privacy policy and penalties.



## Looking for PRIVACY LEADERS at the

U.S. Department of Agriculture  
**Farm Service Agency**



July 2007

(Order from Kansas City FSA Warehouse,  
Item No. MP-12.)

**P** **privacy protection is everyone's responsibility**

Protecting information on individuals is a team effort. All Farm Service Agency employees must be aware of the USDA Privacy Act regulations.

**R** **espect the personal information of others**

The Agency's mission of serving farmers, ranchers and agricultural partners is grounded in the values of strong ethics and customer service. Respecting the personal information of others helps the Agency deliver on its mission while upholding its values.

**I** **nsist that the information collected on individuals is necessary and relevant**

Minimize the amount of information you maintain on individuals. Only collect what is required and allowed by law and relevant and necessary to accomplish the purpose of the Agency. See the restrictions on the collection of Social Security Numbers in 5 U.S.C. 552a, Section 7 and USDA Privacy Act regulations at 7 CFR 1.110-1.123.

**V** **erify that required safeguards are in place**

The Privacy Act of 1974, Office of Management and Budget (OMB), and USDA Privacy Act regulations establish safeguard standards for maintaining personally identifiable information (PII). OMB issued several memoranda on safeguarding PII. Reference OMB Memorandum 06-15 or for encrypting all data on mobile computers/devices which carry sensitive Agency data, see OMB Memorandum 06-16. Also, refer to the USDA Departmental Manual DM 3530-005 guidelines on encrypting sensitive information or to USDA Privacy Act regulations at 7 CFR 1.110-1.

**A** **void departmental, criminal and civil penalties for violations**

Be aware of the criminal and civil penalties associated with violations of the Privacy Act (5 U.S.C. 552a(i) and 5 U.S.C. 552a(g)(1)).

**C** **omplete Privacy Impact Assessments**

The E-Government Act of 2002 requires that Privacy Impact Assessments (PIAs) be completed to ensure that privacy protection measures and requirements are considered and privacy risks are assessed at the different phases of a new system's creation, when amendments to a system are made, and when new technology is used that may create a privacy risk.



For a copy of the USDA PIA template and guidelines, go to the:



USDA OCIO  
Privacy Program Website:  
[www.ocio.net.usda.gov/ocio/security/privacy/html](http://www.ocio.net.usda.gov/ocio/security/privacy/html)

**Y** **ou must have a privacy act notice published before operation of a Privacy Act System of Records**

The Privacy Act requires publication of a Privacy Act system of records notice (SORN) in the Federal Register describing each system of records subject to the Act prior to the establishment or revision of the system of records (5 U.S.C. 552a(e)(4)). This SORN is a valuable tool which provides guidelines on how that information should be maintained, and its purpose, use and disclosure restrictions.



**L** **ocate information systems with information on individuals in your organization**

To properly safeguard information on individuals it is necessary to first identify where that information resides and who manages it. Ensure you are familiar with these systems under your jurisdiction.

**E** **nsure contract includes FAR and AGAR privacy clauses**

Apply Federal Acquisition Regulations (FAR) and Agriculture Acquisition Regulations (AGAR) privacy requirements when contracting for the design, development or operation of a system of records on individuals on behalf of the agency to accomplish an agency function. See: FAR 48 CFR 24.102(a); FAR 48 CFR 24.103; FAR 52.224-1&2; AGAR 424.103-4; and 7 CFR 1.110-1.123.

**A** **cquire customer confidence with Departmental e-Gov initiatives**

Privacy protection is part of the equation for successful e-Gov activities. Compliance with Government privacy standards will encourage confidence in the customer doing business with the Department.

**D** **etermine disclosure and use restrictions**

The Privacy Act of 1974 and USDA's Privacy Act regulations identify restrictions on disclosure and use of information from Privacy Act systems of records. Decisions made on disclosing information from a Privacy Act system of records should be made carefully to ensure compliance with the law and USDA Privacy Act regulations. (Refer to USDA Privacy Act regulations at 7 CFR 1.110-1.123.)

**E** **nsure web privacy policies are in place**

The USDA OCIO has developed a Collection of Web Page Cookies and Privacy Requirements policy which addresses Government web privacy requirements (see USDA DM 3515-001).

**R** **eport to OMB in compliance with Government privacy requirements**

Privacy reporting is now required in a number of oversight documents:

1. Privacy section in the Federal Information Security Management Act (FISMA) annual reporting;
2. FISMA quarterly reports;
3. The OMB Exhibit 300;
4. PIAs and Privacy Act notices for the FSA Certification and Accreditation approval process (when required); and
5. The President's Management Agenda E-Government Scorecard on "Maintaining Green."

**S** **ee that employees, contractors and others are familiar with privacy policy and penalties**

To assist the Agency in meeting statutory and regulatory training requirements for those who handle and maintain Privacy Act and Government records, the USDA OCIO developed computer-based training modules on the Privacy Act which is available through the AgLearn System. For Agency instruction requirements, see FSA Notice IRM-391.

